

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service on January 14, 2004, as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450



By: Kim A. Cabello
Kim A. Cabello

AF/3625
#13

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Re: Appeal to the Board of Patent Appeals and Interferences

PATENT
APPLICATION

In re PATENT APPLICATION of

Inventor(s): McCarty et al.

Appln. No.: 09 | 378,678
Series Code ↑ | Serial No. ↑

Group Art Unit: 3625
Examiner.: POND, Robert M.
Atty. Dkt. 034062 | 272009
C-M | Client Ref

Filed: August 20, 1999

Title: METHOD OF AND SYSTEM FOR DELIVERING
COMBINED SOCIAL EXPRESSION CARDS AND GIFT
CERTIFICATES

Date: January 14, 2004

RECEIVED

Mail Stop Appeal Brief-Patents
Hon. Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

01/21/2004 MGBREM1 00000173 502212 09378678

JAN 23 2004

01 FC:1253 950.00 DA

GROUP 3600

01/21/2004 MGBREM1 00000173 502212 09378678

Sir: 02 FC:1401 330.00 DA

1. ☒ **NOTICE OF APPEAL:** Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision (not Advisory Action) dated July 14, 2003 of the Examiner twice/finally rejecting claim(s) in this application or in this application and its parent application.
2. ☐ **BRIEF** on appeal in this application attached in triplicate (extendable up to 5 months).
3. ☐ An **ORAL HEARING** is respectfully requested under Rule 194 (due two months after Examiner's Answer- unextendable)
4. ☐ Reply Brief is attached in triplicate (due two months after Examiner's Answer - unextendable).
5. ☐ "Small entity" statement filed: ☐ herewith. ☐ previously.
6. ☐ Fee NOT required because paid in prior appeal in which the Board of Patent Appeals and Interferences did not render a decision on the merits (35 USC 134).

7. FEE CALCULATION

	Large/Small Entity	Fee Code
If box 1 above is X'd, enter	\$330/165	\$330 1401/2401
If box 2 above is X'd, enter	\$330/165	\$0 1402/2402
If box 3 above is X'd, enter	\$290/145	\$0 1403/2403
If box 4 above is X'd, enter nothing	- 0 - (no fee)	
8. Original due date: October 14, 2003		
9. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached.	(1 mo) \$110/\$55 (2 mos) \$420/\$210 (3 mos) \$950/\$475 (4 mos) \$1,480/\$740 (Usable only if box 2 is X'd--- 5 mos) \$2,010/\$1,005	1251/2251 1252/2252 1253/2253 1254/2254 1255/2255
10. Enter any previous extension fee paid <input type="checkbox"/> previously since above Original due date (item 8); <input type="checkbox"/> with concurrently filed amendment.....	+\$950 -\$0	
11. Subtract line 10 from line 9 and enter: Total Extension Fee		+\$950
12. TOTAL FEE =		\$1280

**PLEASE CHARGE
OUR DEP. ACCT.**

(Our Deposit Account No. 50-2212)

(Our Order No. 034062 | 272009
C# | M#

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached. This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

**Pillsbury Winthrop LLP
Intellectual Property Group**

11682 El Camino Real
Suite 200
San Diego, CA 92130-2092
Tel: (619) 234-5000
Atty/Sec: JEJ/kac

By: Atty: Jonathan E. Jobe, Jr.

Reg. No. 28,429

Sig: 

Fax: (858) 509-4010

Tel: (858) 509-4005

NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments